

IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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HARVEY J. KESNER	:	
	:	
Plaintiff,	:	
	:	
v.	:	<u>Case 1:20-cv-03454-PAE</u>
	:	
DOW JONES & COMPANY, INC.	:	
d/b/a BARRON'S <i>et al</i>	:	
	:	
Defendants	:	
_____x	:	

**NOTICE OF FILING DEFAMATORY ARTICLES/BLOGS  
REFERENCED IN AMENDED COMPLAINT**

Plaintiff, Harvey J. Kesner (“Plaintiff”), by counsel, pursuant to the Court’s Order entered on October 15, 2020 [*ECF No. 110*], hereby files true and complete copies the following articles/blogs alleged to be defamatory that are referenced in Plaintiff’s amended complaint [*ECF No. 36 (“Am. Compl.”)*]:

1. *Am. Compl.*, ¶¶ 8, 23, 24  
**“The Lawyer at the Center of SEC Pump-and-Dump Case”**  
<https://www.barrons.com/articles/the-lawyer-at-the-center-of-sec-pump-and-dump-case-1538675403>
  
2. *Am. Compl.*, ¶ 9, 24  
**“Kesner’s Out: Why is Barry Honig’s Securities Lawyer Retiring”**  
<https://www.teribuhl.com/2018/08/29/kesners-out-why-is-barry-honigs-securities-lawyer-retiring/>
  
3. *Am. Compl.*, ¶ 9, 11  
**“Judge says Honig’s attorney Harvey Kesner can be Sued for Fraud and Malpractice : \$MBVX”**  
<https://www.teribuhl.com/2019/05/14/judge-says-honigs-attorney-harvey-kesner-can-be-sued-for-fraud-and-malpractice-mbvX/>

4. Am. Compl., ¶ 14  
“SEC looking at New Names in Barry Honig Pump and Dump Scheme: \$MGTI \$MBVXQ”  
<https://www.teribuhl.com/2019/08/20/sec-looking-at-new-names-in-barry-honig-pump-and-dump-scheme-mgt-mbvqx/>
5. Am. Compl., ¶ 24  
“Hudson Bay Capital tied to Barry Honig Pump and Dump Ring : MabVax \$MBVX”  
<https://www.teribuhl.com/2019/04/11/hudson-bay-capital-tied-to-barry-honig-pump-and-dump-ring-mabvax-mbvqx/>
6. Am. Compl., ¶ 24  
“Honig Deals lead to FINRA Investigation of Laidlaw & Co.”  
<https://www.teribuhl.com/2018/10/31/honig-deals-lead-to-finra-investigation-of-laidlaw-co/>
7. Am. Compl., ¶ 24  
“Honig’s Puppet CEO Elliot Maza settles with the SEC”  
<http://www.teribuhl.com/2019/03/26/honigs-puppet-ceo-elliott-maza-settles-with-the-sec/>
8. Am. Compl., ¶ 24  
<https://twitter.com/buhlreports/status/1110899384504467457>
9. Am. Compl., ¶ 25  
“New Emails show attorney Harvey Kesner aided Defrancesco in Questionable Cannabis stock Deal: \$APHA \$SOLCF”  
<https://www.teribuhl.com/2019/06/07/new-emails-show-attorney-harvey-kesner-aided-defrancesco-in-questionable-cannabis-stock-deal-apha-solcf/>
10. Am. Compl., ¶ 25  
<https://twitter.com/buhlreports/status/1154440107237228546>
11. Am. Compl., ¶ 25  
<https://twitter.com/buhlreports/status/1163890183755960320>
12. Am. Compl., ¶ 25  
<https://twitter.com/buhlreports/status/1164164956654362624>
13. September 24, 2020\*  
“Barry Honig’s law firm SRF llp pays out in Malpractice Settlement : \$MBVX”  
<http://www.teribuhl.com/2020/09/24/barry-honigs-law-firm-srf-llp-pays-out-in-malpractice-settlement-mbvqx/>

\* Plaintiff wishes to call to the Court's attention that Defendant Buhl continues to publish false and defamatory statements about Kesner, which is extremely disconcerting. Buhl's most recent blog on September 24, 2020 falsely states that "Attorney Harvey Kesner and his former law firm Sichenzia Ross Ference LLP have agreed to payoff MabVax Therapeutics for Kesner's alleged role in committing malpractice tied to a securities fraud pump and dump scheme led by his client Barry C. Honig ... So far Kesner has retained his law license in New York regardless of his role representing the Honig cartel who have mainly settled securities fraud charges with the SEC. While Kesner's name often appears in SEC subpoenas the SEC has not charged him in the Honig case although an ongoing criminal investigation is continuing led by the Northern California DOJ".

DATED: October 16, 2020

Respectfully Submitted,

HARVEY J. KESNER

By: /s/ Steven S. Biss

Steven S. Biss (VSB # 32972)  
300 West Main Street, Suite 102  
Charlottesville, Virginia 22903  
Telephone: (804) 501-8272  
Facsimile: (202) 318-4098  
Email: [stevenbiss@earthlink.net](mailto:stevenbiss@earthlink.net)  
(Admitted Pro Hac Vice)

Robert C. Buschel, Esq.  
Florida Bar No. 0063436  
BUSCHEL GIBBONS, P.A.  
One Financial Plaza  
100 S.E. Third Avenue, Suite 1300  
Fort Lauderdale, Florida 33394  
Tele: (954) 530-5301  
[Buschel@BGlaw-pa.com](mailto:Buschel@BGlaw-pa.com)  
(Admitted Pro Hac Vice)

*Counsel for the Plaintiff*

**CERTIFICATE OF SERVICE**

I hereby certify that on October 16, 2020 a copy of the foregoing was filed electronically using the Court's CM/ECF system, which will send notice of electronic filing to counsel for the Defendants and all interested parties receiving notices via CM/ECF.

By: /s/ Steven S. Biss  
Steven S. Biss (VSB # 32972)  
300 West Main Street, Suite 102  
Charlottesville, Virginia 22903  
Telephone: (804) 501-8272  
Facsimile: (202) 318-4098  
Email: [stevenbiss@earthlink.net](mailto:stevenbiss@earthlink.net)  
(Admitted Pro Hac Vice)

Robert C. Buschel, Esq.  
Florida Bar No. 0063436  
BUSCHEL GIBBONS, P.A.  
One Financial Plaza  
100 S.E. Third Avenue, Suite 1300  
Fort Lauderdale, Florida 33394  
Tele: (954) 530-5301  
[Buschel@BGlaw-pa.com](mailto:Buschel@BGlaw-pa.com)  
(Admitted Pro Hac Vice)

*Counsel for the Plaintiff*